

WORKER PROTECTION STANDARD (WPS)



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40 CFR Part 170

PULL HERE TO OPEN

RESTRICTED USE PESTICIDE
DUE TO TOXICITY TO FISH AND AQUATIC ORGANISMS

FOR RETAIL SALE TO AND USE ONLY BY CERTIFIED APPLICATORS, OR PERSONS UNDER THEIR DIRECT SUPERVISION, AND ONLY FOR THOSE USES COVERED BY THE CERTIFIED APPLICATOR'S CERTIFICATION.



Insecticide

Active Ingredient:

Lambda-cyhalothrin
[1α(S*),3α(Z)]-(±)-cyano-(3-phenoxyphenyl)methyl-3-(2-chloro-3,3,3-trifluoro-1-propenyl)-2,2-dimethylcyclopropanecarboxylate 22.8%

Other Ingredients: 77.2%

Total: 100.0%

Karate Insecticide with Zeon Technology contains 2.08 lbs. of active ingredient per gal. and is a capsule suspension. Contains petroleum distillates.

KEEP OUT OF REACH OF CHILDREN.
WARNING/AVISO

Si usted no entiende la etiqueta, busque a alguien para que se la explique a usted en detalle. (If you do not understand the label, find someone to explain it to you in detail.)

See additional precautionary statements and directions for use in booklet.

EPA Reg. No. 100-1097

EPA Est. 070989-MO-001

Product of the United Kingdom

Formulated in the USA

SCP 1097A-L1B 1003
141578

1 gallon
Net Contents



This labeling must be in the possession of the user at the time of application.

AGRICULTURAL USE REQUIREMENTS

Use this product only in accordance with its labeling and with the Worker Protection Standard, 40 CFR part 170. This Standard contains requirements for the protection of agricultural workers on farms, forests, nurseries, and greenhouses, and handlers of agricultural pesticides. It contains requirements for training, decontamination, notification, and emergency assistance. It also contains specific instructions and exceptions pertaining to the statements on this label about personal protective equipment (PPE) and restricted-entry interval. The requirements in this box only apply to uses of this product that are covered by the Worker Protection Standard.

Do not enter or allow worker entry into treated areas during the restricted-entry interval (REI) of 24 hours.

PPE required for early entry to treated areas that is permitted under the Worker Protection Standard and that involves contact with anything that has been treated, such as plants, soil, or water is:

- Coveralls
- Chemical-resistant gloves, such as barrier laminate or viton ≥ 14 mils
- Shoes plus socks

FAILURE TO FOLLOW THE DIRECTIONS FOR USE AND PRECAUTIONS ON THIS LABEL MAY RESULT IN POOR INSECT CONTROL, CROP INJURY, OR ILLEGAL RESIDUES.

REI – 24 hours

BACKGROUND

- 1992 – EPA’s Agricultural Worker Protection Regulation (40 CFR 170)
 - Implemented and enforced in the field in 1995-96.
 - This delay was mandated by Congress until EPA created necessary training materials
- 2015 – Revisions to the original rule
 - To increase protections for the nation’s two million farm workers
 - Has not been updated for 20 years
 - Phase implementation process



BACKGROUND

- Who is responsible for providing the protection?
 - Agricultural employers on crop-producing establishments
 - Commercial pesticide handling establishment employers
- Who is protected?
 - Farmworkers
 - Pesticide handlers
 - Other person during pesticide applications

BACKGROUND

- **Inform** workers and handlers about potential exposure to pesticides
- **Protect** workers, handlers and other people from exposure to pesticides
- **Mitigate** any pesticide exposures that workers or handlers receive



TIMELINE

- November 2, 2015 – Final Rule published
- January 1, 2016 – Final Rule effective
- January 2, 2017 – Employers must comply with the provisions of WPS
 - Exception of the new training content and the implementation of the new exclusion zone requirement
- January 1, 2018 – new training curriculum must be implemented
 - The exclusion zone requirement come into force

WHO HAS TO COMPLY WITH WPS?

- Farms



- Forests



- Nurseries



- Greenhouses



WHO IS IMPACTED?

- Agricultural Establishments
 - Farms, orchards, groves, greenhouses, and nurseries
- Nursery and Tree Production
- Timber Tract Operations
- Farm Workers
- Pesticide Handling on Farms
- Farm Labor Contractors and Crew Leaders
- Pesticide Handling in Forestry
- Pesticide Manufacturers
- Farm Worker Organizations
- Farm Worker Support Organizations
- Farm Worker Labor Organizations
- Crop Advisors

AGRICULTURAL EMPLOYER DUTIES

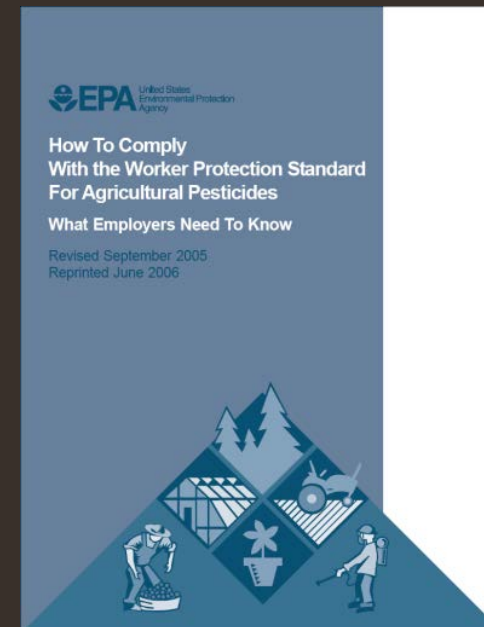
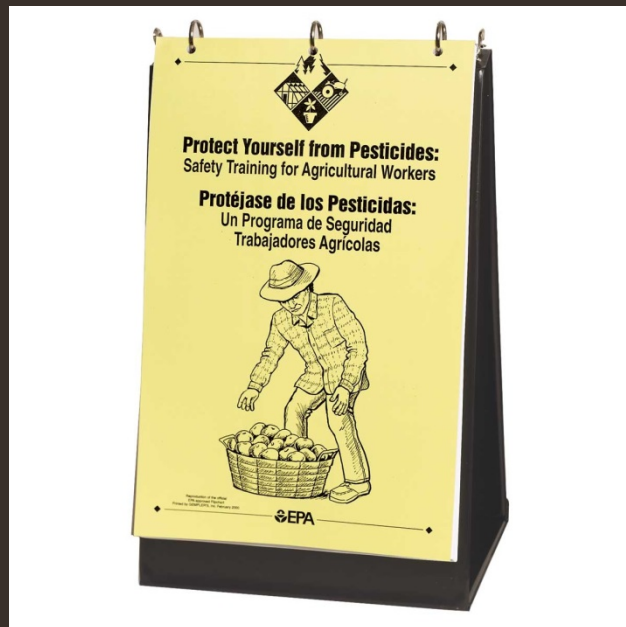
- Ensure that any pesticide is used in a manner consistent with the pesticide product labeling
- Ensure that each worker and handler subject to this part receives the protections required
- Ensure that any handler and any early entry worker is at least 18 years old
- Provide to each person, including labor contractors, who supervises any workers or handlers information and directions sufficient to ensure that each worker and handler receives the protections required
- Require each person, including labor contractors, who supervise any worker or handlers to provide sufficient information and directions to each worker and handler
- Provide emergency assistance.
- Ensure that workers or other persons employed by the agricultural establishment do not clean, repair, or adjust pesticide application equipment unless trained as a handler.
- Display, maintain, and provide access to pesticide safety information and pesticide application and hazard information if workers or handlers are on the establishment and within the last 30 days a pesticide product has been used

AGRICULTURAL EMPLOYER DUTIES

- Ensure that before a handler uses any equipment for mixing, loading, transferring, or applying pesticides, the handler is instructed in the safe operation of each equipment
- Ensure that before a handler uses any equipment used for mixing, loading, transferring or applying pesticide is inspected for leaks, clogging, and worn or damaged parts, and any damaged equipment is repaired or replaced
- Ensure that workers do not enter any area on the agricultural establishment where a pesticide has been applied until the applicable pesticide application and hazard information for each pesticide product applied to that area is displayed until after the REI has expired
- Provide any records or other information required by this part for inspection

TRAINING METHODS

- EPA/State approved training materials:
 - Videos, flip charts, manuals, slides
- Use language understood by worker
 - Respond to questions



PESTICIDE SAFETY TRAINING

Current

- Pesticide safety training every 5 years (federal)
 - Louisiana – every 3 years
- Allow brief 5 point training prior to entering treated area and delay full pesticide safety training for up to 5 days (“grace period”)

Revision

- Pesticide training every year
- Expand training content [*Delayed implementation*]
- Require recordkeeping of training for 2 years
 - Provide worker or handler a copy upon request
- No “grace period”
- Keep certified applicators as trainers
- Train-the-trainer programs must be approved by EPA

NOTIFICATION

Current

- Oral or posted notification of outdoor treated areas unless labeling requires both
- Workers entering when restricted-entry interval (REI) in effect (early-entry workers) must receive PPE

Revision

- Post outdoor treated areas when REI is greater than 48 hours
- Early-entry workers must be provided PPE & oral notification of:
 - information about the pesticide application
 - specific task to be performed
 - amount of time that the worker is allowed to remain in the treated area
 - the PPE required by the label
- No recordkeeping of info provided to early-entry workers



HAZARD COMMUNICATION

Current

- Post application-specific information at central display until 30 days after REI expires
- Available to worker or handler only during display period

Revision

- Hazard information includes the application-specific information and the pesticide safety data sheets (SDSs)
- Post hazard information at central display for 30 days after REI expires and retain for 2 years
- Access available from display period through retention to:
 - Employee (upon oral or written request)
 - Treating medical personnel and persons working under their supervision (oral or written request)
 - Designated representative (written request only)

PESTICIDE SAFETY INFORMATION

Current

- Safety poster displayed at central location
- Certain safety information specified

Revision

- Safety information displayed at central location and certain decontamination sites
- Additional information required on display *[Delayed implementation]*



MINIMUM AGE FOR HANDLERS AND EARLY-ENTRY WORKERS

Current

- No minimum age

Revision

- Requires a minimum age of 18 for pesticide handlers and early entry workers (who enter field during restricted-entry interval (REI))
 - Members of owner's immediate family are exempt from this requirement
 - No minimum age in WPS for workers entering field after REI expires

RESPIRATORS

Current

- Employers must provide Personal Protective Equipment (PPE) required by labeling & ensure respirator fits correctly

Revision

- Adopts by reference a subset of OSHA's standard for respirators (including filtering facepieces) - fit test, medical evaluation, training

EXCEPTIONS TO PERSONAL PROTECTIVE EQUIPMENT REQUIREMENTS

Current

- Handlers can reduce PPE if a closed system is used. Current rule description requires “no pesticide escape”
- Handlers can reduce PPE when in an enclosed cab under certain conditions. Exception to wearing respirator allowed only if cab is certified by manufacturer to provide protection equivalent to the labeling-required respirator.

Revision

- Establishes a performance standard for closed systems modeled on CA proposal
- For enclosed cabs, maintain same exception for dermal PPE. Handlers in enclosed cabs must wear respirators identified on label, except for particulate filtering facepiece respirator (dust/mist filtering respirator)

EXCEPTIONS TO PERSONAL PROTECTIVE EQUIPMENT REQUIREMENTS

Current

- Crop advisors and their employees entering treated area during REI may wear early-entry PPE instead of handler PPE.
- Different than exemption from certain requirements for certified crop advisors and their employees

Revision

- Crop advisors and their employees entering treated area during REI may wear early-entry PPE or standard PPE instead of handler PPE.
 - Coveralls, shoes plus socks, gloves made of any waterproof material and (if required by label) eye protection

APPLICATION EXCLUSION ZONES IN OUTDOOR PRODUCTION

Current

- During pesticide applications, workers and others are prohibited from being in:
 - The treated area - for farms and forests
 - The treated area and areas adjacent to treated areas (entry-restricted areas) – for nurseries



Credit: EPA

Entry-restricted area (purple)

APPLICATION EXCLUSION ZONES IN OUTDOOR PRODUCTION

Revision

- Establishes application exclusion zones (AEZ) based on distance from the application equipment for farms and forests, also applies in nurseries
- Agricultural employers must keep workers and other persons out of the treated area & AEZ that are WITHIN the boundary of the establishment owner's property
- Handler must suspend application if persons are in AEZ. Requirement to suspend application is NOT limited by the boundary of the establishment owner's property *[Delayed implementation]*



Credit: EPA

DECONTAMINATION SUPPLIES

Current

- Employers must provide “sufficient amount of water so that the workers/handlers may wash thoroughly”

Revision

- Provide 1 gallon of water for each worker and 3 gallons for each handler and each early-entry worker; measured at the beginning of the work period

DECONTAMINATION SUPPLIES

Current

- If handler is using a product that requires eye protection, one pint of water must be immediately available to each handler

Revision

- If handler is mixing/loading a product that requires eye protection, eyeflush water must be immediately available at the mix/load site for handler eye flushing
- If applicator is using a product that requires eye protection, one pint of water must be immediately available to each applicator

EMERGENCY ASSISTANCE

Current

- Employers must provide “prompt” transportation to an emergency medical facility for workers or handlers who may have been exposed to pesticides
- Upon request, employers must provide certain information, if available, to the exposed person or medical personnel

Revision

- Retain “prompt” for provision of transportation
- Require employers to provide for each product the SDS and specific information about the product, as well as the circumstances of the application and exposure, to treating medical personnel

DEFINITIONS

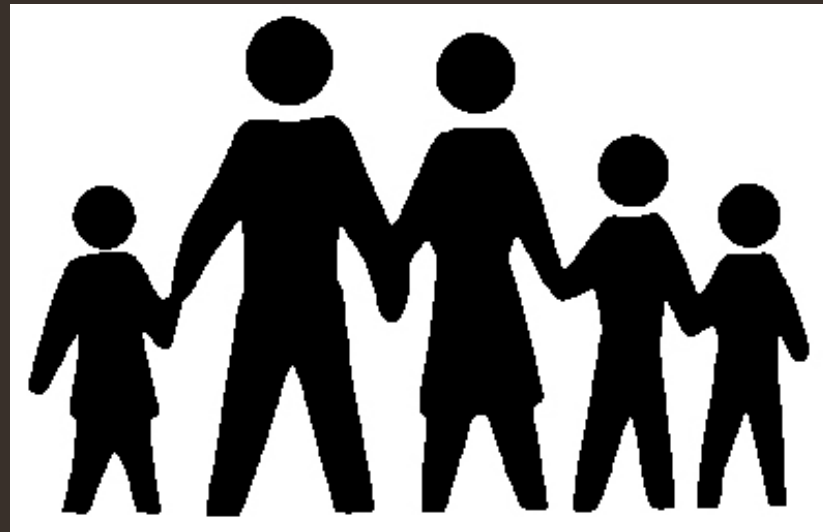
- Added definitions to rule for the following terms:
 - Application exclusion zone, closed system, commercial pesticide handler employer, designated representative, employ, enclosed cab, enclosed space production, labor contractor, outdoor production, personal protective equipment, safety data sheet, use and worker housing area
- Revised the following key definitions:
 - Agricultural establishment, agricultural plant, handler, immediate family and worker
- Deleted the following definitions:
 - Commercial production (proposed), entry-restricted area (proposed), farm, forest, forest operation (proposed), greenhouse and nursery

DEFINITIONS

- ***Employ*** means to obtain, directly or through a labor contractor, the services of a person in exchange for a salary or wages, including piece-rate wages, without regard to who may pay or who may receive the salary or wages. It includes obtaining the services of a self-employed person, an independent contractor, or a person compensated by a third party, except that it does not include an agricultural employer obtaining the services of a handler through a commercial pesticide handler employer or a commercial pesticide handling establishment.

DEFINITIONS

- ***Immediate family*** is limited to the spouse, parents, stepparents, foster parents, father-in-law, mother-in-law, children, stepchildren, foster children, sons-in-law, daughters-in-law, grandparents, grandchildren, brothers, sisters, brothers-in-law, sisters-in-law, aunts, uncles, nieces, nephews, and first cousins. “First cousin” means the child of a parent’s sibling, i.e., the child of an aunt or uncle.



RESTRICTED USE PESTICIDE

Due to Acute Oral, Dermal and Inhalation Toxicity; Fish and Aquatic Organism Toxicity; and Risks to Wildlife.

For retail sale to, and use only by Certified Applicators or persons under the direct supervision of a Certified Applicator, and only for those uses covered by the Certification.

Bidrin[®]XP

Bidrin XP is a broad-spectrum cotton insecticide that utilizes two active ingredients for dual mode-of-action insect control. This co-pa-gallon of dicofol insecticide and 1 gallon of bifenthrin insecticide/miticide. Do not use either component separately.

PRECAUTIONARY STATEMENTS

HAZARDS TO HUMANS AND DOMESTIC ANIMALS

DANGER: Fatal if swallowed. May be fatal if absorbed through skin or if inhaled. Causes moderate eye irritation. Do not get in eyes, on skin, or on clothing. Do not breathe spray mist. Prolonged or frequently repeated skin contact may cause allergic reactions in some individuals.

PERSONAL PROTECTIVE EQUIPMENT (PPE)

Some materials that are chemical-resistant to this product are: barrier laminate, nitrile rubber, neoprene rubber, or viton. If you want more options, follow the instructions for category E on an EPA chemical-resistance category selection chart.

Mixers, loaders, applicators and other handlers using engineering controls must wear:

- Long-sleeve shirt and long pants
- Shoes plus socks
- See Engineering Controls for additional requirements

In addition, mixers and loaders using engineering controls must wear:

- Chemical-resistant gloves
- Chemical-resistant apron
- See Engineering Controls for additional requirements

In addition to the PPE specified above for mixers and loaders, handlers performing tasks, such as spill clean-up or equipment cleaning, for which engineering controls are not feasible, must wear:

- Coveralls
- Chemical-resistant footwear plus socks, and
- A respirator with an organic-vapor removing cartridge with a prefilter approved for pesticides (MSHA/NIOSH approval number prefix TC-23C), or a canister approved for pesticides (MSHA/NIOSH approval number prefix TC-14G), or a NIOSH approved respirator with an organic vapor (OV) cartridge or canister with any N, R, or HE prefilter.

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Use this product only in accordance with its labeling and with the Worker Protection Standard, 40 CFR Part 170. This Standard contains requirements for the protection of agricultural workers on farms, forests, nurseries, and greenhouses, and handlers of agricultural pesticides. It contains requirements for training, decontamination, notification, and emergency assistance. It also contains specific instructions and exceptions pertaining to the statements on this label about personal protective equipment (PPE) and restricted-entry interval. The requirements in this box only apply to uses of this product that are covered by the Worker Protection Standard.

Do not enter or allow worker entry into treated areas during the restricted-entry interval (REI) of 6 days.

PPE required for early entry to treated areas that is permitted under the Worker Protection Standard and that involves contact with anything that has been treated, such as plants, soil, or water, is:

- Coveralls worn over long-sleeve shirt and long pants
- Chemical resistant gloves made of any waterproof material
- Chemical-resistant footwear plus socks, and
- Protective eyewear
- Chemical-resistant headgear for overhead exposure

Notify workers of the application by warning them orally and by posting warning signs at entrances to treated areas.

Some certified crop advisors, and persons performing crop advising tasks under their direct supervision, may be exempt from certain provisions of the Worker Protection Standard (WPS) for Agricultural Pesticides [40 CFR Part 170] if they meet the requirements for the crop advisor exemption listed in the WPS at 40 CFR part 170.104(b) and 170.204(b).

IMPLEMENTATION TIMELINE

| Date | Milestone |
|--------------------|--|
| September 28, 2015 | Revised WPS final rule signed and announced. |
| November 2, 2015 | Revised WPS final rule published in the <i>Federal Register</i> . |
| January 1, 2016 | Revised WPS final rule becomes effective. [Compliance is required with <u>existing</u> WPS during 2016.] |
| January 2, 2017 | Compliance is required with <u>most</u> of the <u>revised</u> WPS requirements. |
| January 1, 2018 | Compliance is required with <u>all</u> of the <u>revised</u> WPS requirements. Last three requirements: <ul style="list-style-type: none">• Cover new content in worker and handler training• Include new content on pesticide safety information display• Handlers suspend applications if anyone is in the application exclusion zone. |

QUESTIONS

- EPA
 - <http://www2.epa.gov/pesticide-worker-safety>
- LSU AgCenter
 - <http://www.lsuagcenter.com/>
- Louisiana Department of Agriculture and Forestry
 - <http://www.ldaf.state.la.us/>

***Presentation curtesy of EPA



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